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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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ADVISORY ACTION

In response to applicant's argument (Page 12, last ¶) stating the final office action was improper, the examiner respectfully disagrees. The grounds of rejection for each and every claim limitation remained unchanged between the Non-Final Rejection and the Final Rejection.

In response to applicant's argument (Page 13, 1st ¶) stating trigger commands in Kalluri are not "interactive content", the examiner respectfully disagrees.

Kalluri discloses the inserted trigger by trigger generator 14 reads on "a first interactive content" because the trigger is inserted into the television signal which makes it content. Further, the trigger includes commands, such as command code which indicates the specific operation that is to be executed by interactive program source 58, thus trigger reads on "interactive content" (Col. 6, line 10 to Col. 7, line 11).

In response to applicant's argument (Page 13, 3rd ¶) stating, reliance on a "trigger command" to show simultaneously "a first interactive content", "an interactive content code", and "a control signal" recited in claim 1 is improper, the examiner respectfully disagrees.

First, trigger 200 reads on "first interactive content" as trigger 200 is combined with television signal source 12. Trigger 200 comprises a plurality of fields that control how the trigger is to be executed and where it is to be directed. The inserted trigger by

trigger generator 14 reads on "a first interactive content" because the trigger is inserted

into the television signal which makes it content and trigger 200 comprises information

to control the loading and/or playing of an interactive program to be associated with the

television signal (Col. 5, lines 18-30). Further, the received trigger at broadcast station

50 provides information on how the trigger is to be interpreted and interacted with, thus

trigger 200 reads on "interactive content" (Col. 6, line 10 to Col. 7, line 11).

Second, trigger 200 reads on "interactive content code" as trigger 200 as taught

by Kalluri contains a plurality of fields each containing codes, including command code

212, command type 208, and an "original or repeat" field 206 which indicates whether

the trigger is new or repeated. Kalluri teaches when field 206 has a value of "1" the

trigger is indicated as new and command code 212 indicates the specific operation that

is the be executed, trigger 200 provides "an interactive code" to interactive program

source 58 to insert a second interactive content in the video stream (Col. 6, lines 40-65).

Thus, Kalluri has disclosed interactive trigger 200 contains "an interactive code" as

recited in claim 1.

Third, trigger 200 reads on "control signal to indicate the first interactive content

is to be replaced with second interactive content" as recited in the claim. Trigger

Extraction Unit 56 receives combined television-trigger signal from modulator 18 (Col. 5,

lines 18-30). Trigger Extraction Unit 56 separates trigger 200 from the television signal,

thus producing a control signal as claimed. Further, the trigger or "control signal" is sent

to interactive program source 58 which is used by source 58 to control the loading or

playing of the interactive program associated with the trigger (Col. 5, lines 43-52).

Furthermore, interactive program source 58 provides an interactive program to AVI

transmission unit 68 based on the received trigger or "control signal" from trigger

extraction unit 56 (Col. 5, lines 53-56). Thus, trigger 200 reads on a control signal to

indicate the first interactive content and to insert interactive content into a second video

stream.

Therefore, even though "a first interactive content", "an interactive content code",

and "a control signal" are claimed as three distinct elements, the three distinct elements

function as trigger 200 taught by Kalluri.

In response to applicant's argument (Page 17, 3rd ¶, Page 18, 1st ¶) that Hite

does not teach, suggest, or disclose a video stream that includes interactive content,

the examiner respectfully disagrees. As previously cited by the examiner, Hite

discloses:

> *A sequencing feature can be implemented by keeping track of which
> commercials were displayed by using the up stream reporting capability
> described above. By having a sequencing feature, viewers would see a series of
> commercials in correct order. One commercial builds on another. Two examples
> of commercials requiring sequencing are tutorials and commercials including a
> story line which plays out in a determined sequence. **A viewer reaction feature
> can be included to cause additional relevant commercials to be presented
> in reaction to a viewer's response to questions or other viewer interaction
> transmitted using the up stream reporting capability described above**. The
> relevant commercials could be for more detailed information about the same
> product or service. Alternatively, they could be for products or services which are
> likely to be of interest to the viewer based on the viewer's responses. For
> example, a viewer who requests more information about children's aspirin may
> also be offered a subsequent commercial on children's chewable vitamins (Col.
> 3, lines 9-29).*

Hite teaches that a viewer reaction feature can be included, where users can provide answers to questions presented by the commercial. Further, Hite teaches viewer's responses and interactions are reported using the upstream capabilities. By the nature of the commercial presenting questions that require the user to answer or interact, the commercial itself is considered to be interactive and therefore the commercial is interactive content. Even if the reaction is given after the commercial has played, by the user simply interacting with the system means the commercial has promoted interactivity. Thus Hite teaches that commercials may be interactive and that a first interactive commercial can be replaced with a second interactive commercial. Therefore Hite discloses replacing a first interactive content with a second interactive content.

In response to applicant's argument (Page 19, 1st ¶, lines 2-8), stating the instructions are not related to any interactive content as taught by Hite, the examiner respectfully disagrees. The commercials as taught by Hite may be interactive and therefore are considered to be interactive content. Further, the instructions as taught by Hite, are used to control the playing of specific commercials, whether a commercial should be replaced and where the replacement commercial can be found, and prevents commercials from being skipped (Col. 4, lines 4-21 & lines 49-65; Col. 6, lines 40-65; Col. 7, lines 43-60; Col. 11, lines 53-57). Thus the instructions as taught by Hite, read on claimed interactive content code with an option field to indicate whether the first interactive content should be replaced by a second interactive content.

In response to applicant's argument (Page 22, 3rd ¶, lines 4-7) stating broadcasting a trigger twice is distinct from "inserting a plurality of interactive content codes" the examiner respectfully disagrees.

Blackketter discloses transmitting a first and second trigger or "a plurality of interactive codes" (as set forth above by Kalluri that triggers contain interactive codes, Blackketter discloses triggers 1100 and 1105 contain a URI or "interactive code") inserted into different regions of data (i.e., a first region of data corresponding to a first time and first video data, and a second region of data corresponding to a second time and second video data, during which the first and second triggers are transmitted, respectively), for the purpose of improving reliability by sending redundant triggers (see figure 11; Col. 7, line 60 – Col. 8, line 15).

In response to applicant's argument (Page 23, 1st ¶, lines 1-6) stating Kalluri does not disclose "conditions for replacing the first interactive content with the second interactive content" the examiner respectfully disagrees.

The interactive trigger 200 as taught by Kalluri contains an "original or repeat" field 206 which indicates whether the trigger is new or repeated, thus providing conditions for replacing the first interactive content or "trigger" with the second interactive content or "interactive program". Kalluri teaches when field 206 has a value of "1" the trigger is indicated as new and thus provides "an interactive code" to interactive program source 58 to insert a second interactive content in the video stream

(Col. 6, lines 40-49). Furthermore, when the value of the field is set to "0" then program

source 58 knows the trigger is repeated and thus can be ignored (Col. 9, lines 17-21).

/John W. Miller/

Supervisory Patent Examiner, Art Unit 2421